



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Terry	Attorney Docket:	0960-017
Serial No:	09/818,378	Examiner:	Not Assigned
Filed:	March 27, 2001	Art Unit:	Not Assigned

## TITLE:

ARCHITECTURE AND METHOD FOR AUTOMATIC DISTRIBUTED GAIN  
CONTROL FOR MODEM COMMUNICATIONS OVER PASSIVE MULTIPOINT  
NETWORKS

## INFORMATION DISCLOSURE STATEMENT

RECEIVED

AUG 12 2003

Assistant Commissioner for Patents  
Washington D.C. 20231

Technology Center 2600

Although a Filing Receipt has not yet been received for the above-referenced subject application, Applicant transmits herewith Form PTO/SB08A listing documents provided with this Information Disclosure Statement that may be relevant to the subject application. Copies of the documents listed in Form PTO/SB08A have not been submitted as they were previously submitted with co-pending U.S. Patent Application Serial No. 09/482,657 filed on January 13, 2000. If the Examiner prefers copies of the cited art, Applicant will provide them.

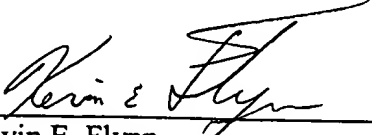
It respectfully requested that the documents listed on Form PTO/SB08A be considered by the Examiner and an initialed copy of the form be returned to the undersigned. It is believed that this disclosure complies with the requirements of 37 CFR §§ 1.56, 1.97 and 1.98 and the MPEP § 609. If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

Submission of this document is consistent with the broadest interpretation of the duty of disclosure. In accordance with the rule for patent prosecution, such a submission is not to be construed as an admission that the information cited in the Information Disclosure Statement is, or is considered to be, material to patentability as defined in §1.56. Applicant respectfully reserves the right to challenge a conclusion that any of the submitted material represents information constituting prior art to the present application or that the information that applicant has located would be of the type used by one of ordinary skill in the art in solving the problems addressed in the present application. The submission of this form is consistent with the duty of

disclosure and should not be interpreted as an indication that applicant has made a prior art search such that the examiner should not undertake to conduct an independent prior art search.

Dated: April 17, 2001

Respectfully submitted,

  
\_\_\_\_\_  
Kevin E. Flynn  
(Reg. No. 37,325)

Daniels & Daniels, P.A.  
P.O. Drawer 12218  
Research Triangle Park, NC 27709  
Voice 919.544.5444  
Fax 919.544.5920  
email Kflynn@daniels.com

Enclosures

\\DANIELS\_FS1\SYS\CL\0960-017\As filed\IDS Transmittal.doc

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	09/818,378
Filing Date	03/27/2001
First Named Inventor	Terry, John B.
Group Art Unit	
Examiner Name	
Attorney Docket Number	0960-017

Sheet 1 of 1

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Issue Date of Cited US Patent MM-DD-YYYY	Concise Explanation of Relevance for art submitted in a foreign language (Optional for prior art in English) MPEP 609 (A)(3)
		Number	Kind Code <sup>2</sup> (if known)			
		4,534,024		Maxemchuk	08 06 1985	
		5,299,314		Gates	03 29 1994	
		5,329,308		Binns	07 12 1994	
		5,343,240		Yu	08 30 1994	
		5,408,259		Warwick	04 18 1995	
		5,488,412		Majeti	01 30 1996	
		5,499,047		Terry	03 12 1996	
		5,512,935		Majeti	04 30 1996	
		5,534,913		Majeti	07 09 1996	
		5,557,319		Gurusami	09 17 1996	
		5,708,961		Hylton	01 13 1998	
		5,722,041		Freadman	02 24 1998	
		5,729,549		Kostreski	03 17 1998	
		5,767,895		Yashiro	06 16 1998	
		5,790,806		Koperda	08 04 1998	
		5,802,449		Beller	09 01 1998	
		5,805,806		McArthur	09 08 1998	
		5,835,127		Booth	11 10 1998	
		5,841,992		Martin	11 24 1998	
		5,852,437		Wugofski	12 22 1998	
		5,870,134		Laubach	02 09 1999	
		5,881,362		Eldering	03 09 1999	
		5,893,024		Sanders	04 06 1999	
		5,905,942		Stoel	05 18 1999	
		5,930,475		Yashiro	07 27 1999	
		5,943,604		Chen	08 24 1999	
		5,968,118		Sutton, Jr.	10 19 1999	
		5,986,691		Henderson	11 16 1999	
		5,991,800		Burke	11 23 1999	
		5,999,970		Krisbergh	12 07 1999	
		6,005,861		Humpleman	12 21 1999	
		6,014,545		Wu	01 11 2000	
		6,055,297		Terry	04 25 2000	

**RECEIVED**

AUG 12 2003

Technology Center 2600

Examiner  
SignatureDate  
Considered

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Patents in This Submission

74

Application Number

09/818,378

Filing Date

03/27/01

First Named Inventor

Terry, John B.

Group / Art Unit

Not Assigned

Examiner Name

Not Assigned

Attorney Docket No.

0960-017

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition Routing Slip (PTO/SB/69)  
and Accompanying Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence  
Address☐ Terminal Disclaimer☐ Small Entity Statement☐ Request for Refund☐ After Allowance Communication  
to Group☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to  
Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Additional Enclosure(s)  
(please identify below):Cited Art  
Form PTO/SB/08A  
Return Receipt Postcard

Remarks

RECEIVED

AUG 12 2003

Technology Center 2600

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Kevin E. Flynn

Signature

Date

09/24/2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Lynette M. Bailey

Signature

Date

09/24/01